

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 4, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE SGT. CURRY OBERKLAUS OF THE UNITED STATES ARMY TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: The Board of County Commissioners presented Sgt. Curry Oberklaus of the U.S. Army with a Certificate of Appreciation honoring him for his courageous commitment to our country while serving in Operation Iraqi Freedom. The Board commended his bravery and dedication to the cause of freedom. Sgt. Oberklaus was also presented with a medallion challenge coin from Frank Morrow, Clermont County Veterans' Service Commission, and a Congressional Proclamation from Steve Caraway, on behalf of Congresswoman Jean Schmidt, honoring him for his service to our country and welcoming him home.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 17-09/PAYMENT OF BILLS...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **17-09** resolving to approve payment to vendors in the revised total amount of \$925,743.57 as set forth in the General Ledger Distribution Report(s) and Procurement Card Transaction Report presented by the County Auditor 02/03/09, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 18-09/PAYMENT OF BILLS...APPROVED

Moved by Mr. Humphrey, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **18-09** resolving to approve payment to vendors included on the General Ledger Distribution Report(s) presented by the County Auditor 02/03/09 as reflected in the General Ledger Distribution Excerpt Report in the amount of \$77,139.00, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Proud Yea; Mr. Croswell, Abstained.

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... SUB-GRANT RECIPIENT CONTRACT WITH THE COUNCIL OF THE VILLAGE OF WILLIAMSBURG RELATIVE TO THE VILLAGE OF WILLIAMSBURG NORTH 8TH – WEST MAIN STREET SIDEWALK PROJECT 2008-06 IN CONCERT WITH THE CLERMONT COUNTY

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA
PROGRAM FOR FISCAL YEAR 2008...09-0123-003...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute a Sub-Grant Recipient Contract by and between the Board of County Commissioners, Clermont County, Ohio, and the Council of the Village of Williamsburg, 107 West Main Street, Williamsburg, Ohio 45176 for funding in the amount of \$50,000.00 relative to the Village of Williamsburg North 8th – West Main Street Sidewalk Project 2008-06 in concert with the Clermont County Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2008, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICES/EMERGENCY
MANAGEMENT AGENCY...GRANT APPLICATION FOR FUNDING
THROUGH THE OHIO EMERGENCY MANAGEMENT AGENCY FOR
THE FISCAL YEAR 2009 EMERGENCY OPERATIONS CENTER
GRANT PROGRAM...09-0130-001...RATIFIED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to approve and submit a Grant Application to the Ohio Emergency Management Agency (OEMA), a division of the Ohio Department of Public Safety, 2855 West Dublin-Granville Road, Columbus, Ohio 43235-2206 for the Fiscal Year 2009 Emergency Operations Center Grant Program from the U.S. Department of Homeland Security, Office for Domestic Preparedness in the amount of \$200,000.00 with a required local match of \$66,666.67 to be provided from the Emergency Communication Capital Fund, for a total program budget of \$266,666.67, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS &
SECURITY...CONTRACT FOR PROFESSIONAL SERVICES WITH
EMERGE TECHNOLOGIES, LLC. FOR THE PROVISION OF
NETWORKING, DATA SECURITY, SOFTWARE INSTALLATION AND
CONFIGURATION CONSULTING SERVICES...09-0123-002...
EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Brian L. Dunkle, Network Operations Manager, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Professional Services by and between the Board of Clermont County Commissioners and Emerge Technologies, LLC, 1840 Airport Exchange Boulevard, Suite 110, Erlanger, Kentucky 41018 for the provision of Networking, Data Security, Software Installation

and Configuration Consulting Services in accordance with the scope of services as identified in Exhibit A, attached thereto and made part thereof, for a total sum not to exceed \$5,000.00, including all charges and expenses therefore, effective 02/11/09 through 02/10/10 pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: CLERMONT COUNTY SEWER DISTRICT...RELEASE AND AGREEMENT TO REMOVE GRAFFITI AT THE O'BANNON CREEK WASTEWATER TREATMENT PLANT...09-0121-001...RATIFIED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Bill Beyer, WSD Supervisor, with the concurrence of J. Dwight Culbertson, WSD Assistant Director, to authorize the execution of Releases and Agreements to Remove Graffiti at the O'Bannon Creek Wastewater Treatment (WWTP) Plant by and between the County of Clermont, Ohio and the following individuals, being parents of minor children involved in an incident in which graffiti was painted on County property at the O'Bannon Creek WWTP located at 1270 Neale Lane, Loveland, Ohio 45140. Said Releases/Agreements are executed to permit the minor children to attempt to remove the graffiti in lieu of filing criminal charges; and releases, acquits and forever discharges the County from any and all claims, actions, demands, damages, expenses and compensation as a result, pursuant to the terms and conditions set forth therein:

Donalee Susich
6865 Clubside Drive
Loveland, Ohio 45140

Phillip and Michelle Kepler
6866 Clubside Drive
Loveland, Ohio 45140

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: COUNTY AUDITOR...REQUEST TO ADVERTISE FOR PROPOSALS FOR THE ACQUISITION OF AN ACCOUNTING AND PAYROLL/HR SYSTEM FOR THE COUNTY OF CLERMONT, OHIO...09-0115-004...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Linda L. Fraley, County Auditor, with the concurrence of David L. Spinney, County Administrator, to approve the request to advertise for proposals for the acquisition of an Accounting and Payroll/HR System for the County of Clermont, Ohio, pursuant to the specifications therefore, and to authorize the Clerk of the Board to place Legal Notice in the Clermont Sun for two consecutive weeks commencing **February 12, 2009**, with proposals to be received until 2:00 P.M. Local Time on **Friday, March 20, 2009**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, at which time all proposals shall be opened in a manner that prevents the disclosure of contents of the competing proposers pursuant to and in compliance with Section 307.862 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF APPOINTMENT TO THE CLERMONT COUNTY BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES...09-0202-007...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to appoint Kim L. Pellington, 1058 Weber Road, Loveland, Ohio 45140 to serve on the Clermont County Board of Mental Retardation and Developmental Disabilities, to succeed Thomas A. Wildey, for the term effective 02/04/09 through 02/03/13, pursuant to Section 5126.02 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC OFFICIAL BONDS FOR JUDGE STEPHANIE WYLER FOR JUDGE FOR THE COURT OF COMMON PLEAS/DIVISION OF PROBATE COURT AND FOR CLERK EX OFFICIO FOR THE COURT OF COMMON PLEAS/DIVISION OF JUVENILE COURT...09-0203-004...APPROVED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve and sign Public Official Bonds Number 5042987 and 5042986 in the amounts of \$5,000.00 for Judge Stephanie Wyler for Judge for the Court of Common Pleas/Division of Probate Court and for Clerk Ex Officio for the Court of Common Pleas/Division of Juvenile Court for the term 02/09/09 through 02/08/15 pursuant to Sections 2101.03 and 2151.12 of the Ohio Revised Code, respectively, and, subsequent thereto, to authorize payment of the premiums therefore in the amounts of \$475.00 to C. Edward Lovins Insurance Agency, Inc., 122 Water Street, Milford, Ohio 45150. Public Official Bonds to be filed in the Office of the County Treasurer.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Abstained.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO RESCHEDULE THE VIEWING AND FINAL HEARING RELATIVE TO THE REQUEST TO INITIATE PROCEDURES TO VACATE A PORTION OF CLEPPER LANE SITUATED WITHIN UNION TOWNSHIP AND REPUBLICATION OF LEGAL NOTICE RELATIVE TO THE VIEWING AND FINAL HEARING THEREON...08-1124-006...APPROVED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation to resolve to reschedule the Viewing and Final Hearing on the Proposed Vacation of a Portion of Clepper Lane in Union Township heretofore established for Wednesday, January 28, 2009, with the Viewing at 11:00 A.M. Local Time and the Final Hearing at 3:00 P.M. Local Time in the Office of the Board of County Commissioners, Clermont County, Ohio, 101 East Main Street, Batavia, Ohio 45103-2960, subsequent to the approval of the request to initiate procedures to vacate a portion of Clepper Lane situated within Union Township, Clermont County, Ohio, submitted by Michael Minniewar, Attorney at Law, 626 Main Street, Milford, Ohio 45150, for and on behalf of his client, Mountain Agency, LLC, 829 Eastgate

South Drive, Cincinnati, Ohio 45245, pursuant to Section 5553.04 of the Ohio Revised Code, in as much as Clermont County was under a Level 2 Snow Emergency on Wednesday, January 28, 2009, and in consideration for public safety, all County buildings were closed for business, and further resolve to authorize the Clerk of the Board to place Legal Notice in the Clermont Sun for two consecutive weeks commencing **Thursday, February 12, 2009**, designating the date and time of the Viewing and the date, time, and location of the Final Hearing for the proposed vacation thereon pursuant to Section 5553.05 of the Ohio Revised Code. The **Viewing and Final Hearing** on the Proposed Vacation of a Portion of Clepper Lane situated within Union Township to be held on **Wednesday, March 11, 2009**, with the **Viewing at 11:00 A.M. Local Time** and the **Final Hearing at 2:30 P.M. Local Time** in the Office of the Board of County Commissioners, Clermont County, Ohio, 101 East Main Street, Batavia, Ohio 45103-2960.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Abstained.

IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION TO EXECUTE AN AGREEMENT FOR TRANSFER OF ENTITLEMENTS FOR FISCAL YEAR 2006 FEDERAL AVIATION ADMINISTRATION (FAA) FUNDS...09-0204-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation to authorize David L. Spinney, County Administrator, to execute an Agreement for Transfer of Entitlements for Fiscal Year 2006 Federal Aviation Administration (FAA) Funds in the amount of \$150,000.00 in accordance with Section 47117 (C)(2) of Title 49 U.S.C., as Clermont County is unable to utilize the funds by the expiration date of September 30, 2009, on the condition that the FAA make the funds available to Warren County, Ohio, for eligible project funding at the Warren County Airport.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Croswell, to approve the minutes of Regular Session of **02/04/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:21 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 02/04/09